

SHERIDAN ROSS

A Professional Corporation
ATTORNEYS AND COUNSELORS AT LAW

1560 BROADWAY
SUITE 1200
DENVER, COLORADO 80202-5141

TELEPHONE (303) 863-9700
FACSIMILE (303) 863-0223
E-MAIL mlaw@sheridanross.com

PATENTS
TRADEMARKS
COPYRIGHTS

KERMIT P. ROSS
1910-1986

OF COUNSEL
PHILIP H. SHERIDAN
WANNELL M. CROOK
GILBERT E. ALBERDING
RICHARD L. HUGHES
BRENT P. JOHNSON

*MO, AL, IN Bar Only

TECHNICAL SPECIALISTS
DENNIS J. DUPRAY, Ph.D.
ANGELA DALLAS-PEDRETTI, Ph.D.

DAVID F. ZINGER
CRAIG C. GROSETH
TODD P. BLAKELY
GARY J. CONNELLY
SABRINA C. STAVISH
JOSEPH B. KOVARIK
SUSAN ERYOR WILLSON
LEWIS D. HANSEN
ROBERT R. BRUNELLI
DOUGLAS W. SWARTZ
BRUCE A. KUGLER
DANA HARTT CARDWELL
PAUL S. HANSRA
BENJAMIN B. LIEB
BRADLEY M. KNEPPER
MIRIAM DRICKMAN TRUDELL
SCOTT R. BIALECKI
KENNETH C. WINTERTON
TODD M. PETERSEN
ROBERT D. TRAYER, Ph.D.
CHRISTOPHER J. HUSSIN
MARK L. YASKANIN

March 22, 2001

FACSIMILE COVER SHEET

Please deliver the following pages to:

Name: Examiner L. Helms
Facsimile No. 703/305-3014
Our File No. 4369-1
~~Serial~~
Your File No. 09/444,144
Total No. Pgs., incl. cover 13

FAX RECEIVED

MAR 22 2001

GROUP 1600

OFFICIAL

Sender's Name: Angela Dallas-Pedretti

Special Instructions: RE-FAXING Amendment and Response to Examiner Helms, which was previously faxed on February 20, 2001.

If you do not receive all pages, please call Kathleen at (303) 764-3015.

THIS FACSIMILE MESSAGE IS CONFIDENTIAL AND MAY CONTAIN ATTORNEY PRIVILEGED INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR COMPANY NAMED ABOVE. If the reader is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, so that we may arrange for the return of the original message to us. Thank you.

C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

HOWELL et al.

Serial No.: 09/444,144

Filed: November 20, 1999

Attorney File No.: 4369-1
(formerly Cyto001)For: METHOD FOR ENHANCING
IMMUNE RESPONSES IN
MAMMALS

Group Art Unit: 1642

Examiner: Helms, L.

FAX RECEIVED

MAR 22 2001

GROUP 1600

AMENDMENT AND RESPONSE
AFTER FINAL REJECTION

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted
to the Patent and Trademark Office on (703/305-7401)
February 20, 2001.

SHERIDAN ROSS P.C.

KATHLEEN BUSSELL

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This Amendment and Response After Final Rejection is filed in response to the final Office Action having a mailing date of December 20, 2000. This response is believed to be timely and therefore, no fees are enclosed. In the event that fees are due in connection with this response, please debit Deposit Account No. 19-1970.

Please amend and reconsider the above-identified patent application as follows.

IN THE CLAIMS:

Please amend Claims 10, 11, 12, and 14 as follows, without prejudice to or disclaimer of the subject matter therein. For purposes of clarification, Claim 41 is reiterated below, without amendment.

10. (Twice Amended) The method of claim 1, wherein said targeted immune system inhibitor is a host-derived immune system inhibitor selected from the group consisting of interleukin-1 receptor antagonist, transforming growth factor- β , interleukin-4, interleukin-10, soluble receptors for interleukin-1, soluble receptors for interleukin-2, soluble receptors for interleukin-4, soluble receptors for interleukin-6, soluble receptors for interleukin-7, soluble receptors for interferon- γ and soluble receptors for tumor necrosis factors α and β .

11. (Twice Amended) The method of claim 1, wherein said targeted immune system inhibitor is produced by a microorganism [selected from the group consisting of complement

OFFICIAL